

UNITED STATES DISTRICT COURT

FILED

CLERKS OFFICE

JOSEPH P. SCHMITT, pro se.,

Plaintiff,

2005 JUL 26 P 2:57

v.

CIVIL ACTION NO. 2005-11348-NG

ROBERT MURPHY, et al.,

U.S. DISTRICT COURT
DISTRICT OF MASS.

Defendants.

MOTION FOR LEAVE TO AMEND COMPLAINT

Now comes the pro se Plaintiff, Joseph P. Schmitt, and moves this Court for a Leave of Action so as to amend the complaint.

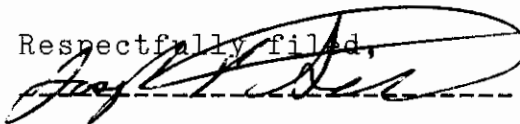
As grounds thereof, Plaintiff states the following.

1. Plaintiff is civilly committed and in the care and custody of the Dept. of Correction at the Treatment Center in Bridgewater.
2. Plaintiff has limited access to legal material at the Treatment Center.
3. Plaintiff has, within the past twenty four hours, obtained legal material that supports his action before this Honorable Court as well as other actions before the US District Court Justices, which were not available to him at the Treatment Center's law library.
4. No service has been conducted upon the defendants at this time, and therefore said defendants will suffer no hardship or prejudices by allowing this motion for leave of action.
5. Plaintiff is not a trained or educated attorney, though he will be forced to confront one or more attorney's of the defendants throughout this action, and as such, should be allowed all the opportunity to better his case as long as it does not cause undue harm or prejudice to said defendants of this action.

WHEREFORE, Plaintiff prays this Honorable Court GRANT the above motion and STAY this action until such time as Plaintiff files his amended complaint.

DATED: July 24, 2006

Respectfully filed,

A handwritten signature in black ink, appearing to read "Joseph P. Schmitt", is written over a horizontal dashed line.

Joseph P. Schmitt, pro se
Nemasket Correctional Facility
30 Administration Road
Bridgewater, MA. 02324-3230